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DECISION



h-101R
MF
**THE COMPTROLLER GENERAL
OF THE UNITED STATES
WASHINGTON, D. C. 20548**

FILE: B-190958

DATE: March 21, 1978

MATTER OF: L & M Cleaning Company

DIGEST:

Protest not filed with contracting agency or General Accounting Office within 10 days after basis for protest is known or should have been known is untimely and will not be considered.

L & M Cleaning Company (L & M) has protested the cancellation of Veterans Administration (VA) request for quotations (RFQ) No. 641-134C issued October 7, 1977 for window washing at the VA Hospital in Perry Point, Maryland. The RFQ was cancelled on November 1, 1977, after it was discovered that a wage determination had not been included in the RFQ, and a new RFQ with the appropriate wage determination was issued on the same date.

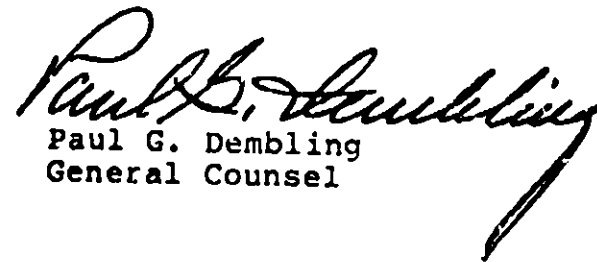
Prior to the cancellation of the first RFQ, L & M was informed that its quote was low and that it would be awarded the contract. At the time L & M was informed that its quote was low it was informed of the other companies' quotes. When the revised RFQ was issued on November 1, 1977, L & M again submitted a quote. However, its quote was not low.

By letters dated November 28, 1977, and December 2, 1977, L & M protested to the VA maintaining that cancellation of the first RFQ was improper after the quotes of all firms were made public and that the wage determination could have easily been sent out and the contract awarded on the basis of the initial RFQ.

As made evident by the VA report of February 9, 1978, L & M's protest is untimely and should not be considered by our Office. To be considered by our Office a protest must be filed with the contracting agency or with our Office within 10 days after the basis of the protest is known (4 C.F.R. 20.2(a) and (b)(2) (1977)). L & M was notified that the first RFQ was canceled on or about November 1, 1977, and did not file a protest with VA until November 28, 1977, or with our Office until December 23, 1977.

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Accordingly the protest is dismissed.


Paul G. Dembling
General Counsel